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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT REIBSTEIN  
107 Morlyn Avenue  
Bryn Mawr, PA 19010

Plaintiff

vs.

SUNRISE CREDIT SERVICES, INC.  
260 Airport Plaza  
P.O. Box 9100  
Farmingdale, NY 11735-9100

Defendant

CIVIL ACTION

NO.

**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 ("FDCPA").

2. The FDCPA prohibits collectors from engaging in deceptive and unfair practices in the collection of consumer debt.

3. Defendant is subject to strict liability for sending a collection letter which violates the provisions of the FDCPA.

**II. JURISDICTION**

4. Jurisdiction arises under 15 U.S.C. § 1692k and 28 U.S.C. § 1337.

**III. PARTIES**

5. Plaintiff is Robert Reibstein. Plaintiff is a consumer who resides in Bryn Mawr, Pennsylvania at the address captioned.

6. Defendant Sunrise Credit Services, Inc. (hereinafter "Sunrise") is a New York corporation with a regular place of business in Farmingdale, NY and a mailing address as captioned.

7. Sunrise regularly engages in the collection of consumer debts using the mails and telephone.

8. Sunrise regularly attempts to collect consumer debts alleged to be due another.

9. Sunrise is a "debt collector" as that term is contemplated in the FDCPA, 15 U.S.C. § 1692a(6).

#### **IV. STATEMENT OF CLAIM**

10. On March 30, 2007, Sunrise sent to Reibstein an initial collection notice seeking to collect on an amount alleged due in the sum of \$15.96. (See Exhibit "A," redacted per local rule).

11. 15 U.S.C. § 1692g requires that an initial communication with a consumer contain a full validation notice. The notice must identify who the underlying creditor is, § 1692g(a)(2).

12. Sunrise's initial collection notice of March 30, 2007 does not identify the name of the creditor, in violation of the Act.

#### **COUNT I - FAIR DEBT COLLECTION PRACTICES ACT**

13. Plaintiff repeats the allegations contained above as if the same were here set forth at length.

14. Defendant Sunrise's March 30, 2007, communication to Plaintiff violates the FDCPA in violation of 15 U.S.C. § 1692g.

**WHEREFORE**, Plaintiff, Robert Reibstein, demands judgment against Defendant Sunrise Credit Services, Inc. for:

- (a) Damages;
- (b) Attorney's fees and costs; and
- (c) Such other and further relief as the Court shall deem just and proper.

V. **DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully submitted:

Date: 03/19/08

/s/ Cary L. Flitter -- CLF 5997

CARY L. FLITTER  
THEODORE E. LORENZ  
K. TIMILY FRAZIER  
Attorneys for Plaintiff

LUNDY, FLITTER, BELDECOS &  
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Narberth, PA 19072  
(610) 822-0782

# **EXHIBIT "A"**

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PO Box 9100  
Farmingdale, NY 11735-9100  
Return Service Requested



Sunrise Credit Services, Inc.

260 Airport Plaza, P.O. Box 9100  
Farmingdale, NY 11735-9100  
Our Toll-Free Number: 1-866-565-7542  
Fax 631-501-8534  
Hours: Mon. - Fri. 8 AM - 11 PM EST, Sat. 8 AM - 4 PM EST



March 30, 2007

Robert Reibstein  
PO Box 527  
Narberth PA 19072-0527



**Account Information**

Client:  
Client Account #: [REDACTED]  
SCS Account #: [REDACTED]  
Account Balance: \$ 15.96  
Other Charges: \$ 0.00  
Balance Due: \$ 15.96

Dear Robert Reibstein:

**WHEN YOU RECEIVE A COLLECTION NOTICE . . .**

1. **Don't get angry...** Your account came to us from someone who values your business.
2. **Communicate with us ...** If you believe you don't owe this bill.
3. **Let us help ...** Our people are experienced in credit and collections and are able to assist you if you let them.

We have included a postage paid envelope to make paying your bill more convenient. For other convenient payment options, visit us on the internet at [www.sunrisecreditservices.com](http://www.sunrisecreditservices.com) or use our automated phone payment system at 866-565-7542.

Experience has proven that collection procedures are necessary when a debtor does not respond. Therefore, your attention is important and may avoid further collection procedures.

The toll-free number for your account representative is 1-866-565-7542.

Si usted desea hablar con alguien en español, favor de llamar al numero gratuito de 888-866-9170.

Sunrise Credit Services, Inc.  
Mr. Charles

**THIS IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.  
THIS COMMUNICATION IS FROM A DEBT COLLECTOR.**

Come visit our website at [www.sunrisecreditservices.com](http://www.sunrisecreditservices.com)  
for corporate information, payment options and employment opportunities.

**PLEASE REFER TO REVERSE SIDE FOR IMPORTANT INFORMATION**

PAGE 1 OF 1

Please detach and return this portion with payment

Client:  
Client Account #: [REDACTED]  
SCS Account #: [REDACTED]  
Account Balance: \$ 15.96  
Other Charges: \$ 0.00  
Balance Due: \$ 15.96

Robert Reibstein  
PO Box 527  
Narberth PA 19072-0527

Sunrise Credit Services, Inc.  
PO Box 9100  
Farmingdale, NY 11735-9100



..... There are lots of ways .....

You may pay on your account in any one of the following ways:

- Personal or business check
- Money order or cashiers check
- Western Union Quick Collect / Code City Sunrise NY
- Credit Card / Debit Card
- ACH
- Moneygram
- Bankwire

Please make sure to reference your account number on any payment made.

We will be happy to explain how any of the above payment functions can be used to satisfy your account balance.

**THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL  
BE USED FOR THAT PURPOSE.**

**UNLESS YOU NOTIFY THIS OFFICE WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE THAT YOU DISPUTE THE VALIDITY OF THIS DEBT OR ANY PORTION THEREOF, THIS OFFICE WILL ASSUME THIS DEBT IS VALID. IF YOU NOTIFY THIS OFFICE IN WRITING WITHIN 30 DAYS FROM RECEIVING THIS NOTICE, THIS OFFICE WILL OBTAIN VERIFICATION OF THE DEBT OR OBTAIN A COPY OF A JUDGMENT AND MAIL YOU A COPY OF SUCH JUDGMENT OR VERIFICATION. IF YOU REQUEST THIS OFFICE IN WRITING WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE, THIS OFFICE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM THE CURRENT CREDITOR.**